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Date of Signature and Deposit: March 18, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard D. Harris, et al.  
Serial No.: 09/842,975  
Filed: 04/26/2001  
Examiner: Eric W. Thomas  
Group Art Unit: 2831  
Docket No.: 110003.97397  
Title: *Method for Fabricating an Isolated Microelectromechanical System (MEMS) Device Incorporating a Wafer Level Cap*

AMENDMENT

BOX AMENDMENT

Commissioner for Patents

04/01/2003 TDRKZMS 0000002 170055 09842975

01 FC:1201

Dear Sir:

In response to the Office Action dated December 19, 2002, please amend the above-identified patent application as follows and consider the following remarks:

IN THE CLAIMS

Please amend the claims as indicated below. A version of the claims with markings to show changes made is attached to the end of this communication.

1. (Once Amended) A MEMS structure comprising:
- a substrate;
  - at least one conductive element that is in mechanical communication with the substrate and that extends therefrom;
  - a movable MEMS element having a portion that is free from the substrate and positioned such that a variable-sized gap extends substantially parallel to the substrate and separates the movable MEMS element from the at least one conductive element;

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02 FC:1201

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